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COURTS—SUPERVISORY CONTROL OF SUPERIOR OVER INFERIOR COURTS.—The constitutional grant to the supreme court, of superintending control over inferior courts, is held, in *State v. Johnson* (Wis.), 51 L. R. A. 33, to vest in the supreme court an independent and separate jurisdiction, enabling it to restrain the excesses and quicken the neglects of inferior courts, in the absence of other adequate remedy, and to authorize the use of all the ancient writs necessary to the exercise of that high power, including *mandamus*, prohibition, *certiorari* and *procedendo*.

An extensive note to this case presents a review and analysis of the authorities in England and this country, on the nature and extent of the superintending control and supervisory jurisdiction of superior over inferior courts.

INTERSTATE COMMERCE—LICENSE TAX ON SOLICITORS.—One who takes orders in his own name from house to house, for articles manufactured in another State, and who, in his own name, sends a single order to the manufacturer, without stating the names of his customers, and on receiving the package containing the articles delivers therefrom the separate articles to his customers, is held, in *Croy v. Epperson* (Tenn.), 51 L. R. A. 254, not to be exempt from a privilege tax on the ground that he is engaged in interstate commerce.

Cases in which drummers and traveling agents of non-residents have been held exempt from State license taxes, on the ground that they are engaged in interstate commerce, as is shown in a note in 14 L. R. A. 97, are distinguished in the case of *Racine Iron Co. v. McCommons* (Ga.), 51 L. R. A. 134, which holds that a traveling agent who takes orders, but receives the goods in bulk upon shipment from another State, and then breaks the packages and distributes the contents among his customers, is not engaged in interstate commerce.

See 1 Va. Law Reg. 157 ; 6 Id. 84, 576, 859.

MASTER AND SERVANT—TORT OF SERVANT OUTSIDE OF SCOPE OF EMPLOYMENT.—The familiar principle that the master is not liable for the tortious act of his servant when done outside the scope of his employment, is well illustrated by the case of *McDermott v. American Brewing Co.* (La.), 29 South. 498.

It appeared that the defendant, a brewing company, had two classes of customers—credit customers and cash customers. Regular collectors were employed to collect from the former, but the drivers of defendant's delivery wagons were required to collect from the latter, on delivery of each lot of beer purchased. If the drivers failed to so collect, the amount was charged up to their salary accounts. The plaintiff was a cash customer, but for one lot of beer delivered had failed to pay the driver, who returned next day and demanded the amount. The plaintiff, failing to comply with the demand, was violently assaulted by the driver, for which assault an action was brought against the beer company.

The court held that by failing to collect on delivery, the driver became personally responsible to his employer for the amount, and that in attempting to collect the same afterwards from the plaintiff, he was furthering his own interests and not those of the employer—and hence the latter was not responsible for the assault. See 5 Va. Law Reg. 330.